



Gerri D. Huser, Chair
Richard W. Lozier, Jr., Board Member
Joshua J. Byrnes, Board Member

August 24, 2022

Samantha C. Norris
Brown Winick Law
666 Grand Ave., Suite 2000
Des Moines, IA 50309

RE: Public Records Request – Informational Meeting Mailing Lists
Docket No. HLP-2021-0003
Navigator Heartland Greenway LLC

Ms. Norris,

On August 19, 2022, the Iowa Utilities Board (IUB) began receiving a series of public records requests, pursuant to Iowa Code chapter 22, from multiple parties. The public records requests are being filed through the IUB online complaint form and state:

"The list of landowners notified by the pipeline company in the pipeline corridor should be made public. The landowner list submitted to the Iowa Utilities Board falls under Iowa's Open Records law Chapter 22 of the Iowa Code. We therefore request under the Open Records law the release of the full landowner list. It is obvious the only reason Summit, Navigator and Wolf want to keep the names secret is to prevent, or at least make it more difficult for, landowners to communicate with each other, to organize a response to the carbon pipeline projects, and to protect their property rights. That is why the landowners need to support each other. If the names are secret we can't do that. It is clear from the comments made at the informational meetings, in written comments to the Board, and from my conversations with other landowners that none of the landowners who are impacted want the pipeline on their property. The only way their voices can be heard is for them to join together. They cannot do that if they don't know who all of the landowners are. Therefore, I ask that the Board issue an order immediately requiring Summit, Navigator and Wolf to make public the names and contact information for all of the affected landowners."

The IUB finds these requests to each constitute a request for the inspection of IUB records that are not routinely available for public inspection to the extent the subject of the request includes materials for which a request for confidentiality has been filed pursuant to 199 Iowa Administrative Code 1.9(6) and has not yet been ruled upon by the IUB. Pursuant to Rule 1.9(6)(c), the requested information is currently withheld from public inspection. As such, the request is subject to the provisions of 199 Iowa Administrative Code 1.9(5) and 1.9(8).

Pursuant to the provisions of IUB rules 1.9(5) and 1.9(8), Navigator Heartland Greenway LLC is hereby notified that the IUB will withhold the informational meeting mailing lists from public inspection for a period of 14 days from the date of this letter to allow Navigator Heartland Greenway LLC the opportunity to obtain injunctive relief in a District Court of the State of Iowa to

prevent the disclosure of these materials, or such portion of the materials as may be designated by the Court. If injunctive relief is not requested within 14 days, or is denied by the Court, the materials will be released in full.

Sincerely,

/s/ Jon Tack

General Counsel

Copy to submitting parties:

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